

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

LISTING OF CLAIMS:

1. (currently amended) Distributor - applicator (1) mobile in the axial direction (10) designed to contain a cosmetic (5), ~~typically a mascara,~~ comprising a body (2) forming a ~~typically~~ cylindrical and longitudinal cavity (20) with a height H along its axial direction (21) containing ~~[[the]]~~ said cosmetic (5), and in which there is an opening, ~~[[the]]~~ said body (2) being provided with a lateral skirt (24), fixed with a rim (243) or a head (22) at its ~~so-called~~ top end containing a ~~typically~~ threaded neck (220) surrounding ~~[[the]]~~ said opening (23), and ~~typically~~ forming a bottom (25) at its ~~so-called~~ bottom end, and an applicator (3) comprising a ~~typically~~ threaded cap (30) forming a means of gripping ~~[[the]]~~ said applicator (3) and intended to cooperate with ~~[[the]]~~ said rim (243) or ~~[[the]]~~ said neck (220) of ~~[[the]]~~ said head (22), a rod or a longitudinal support (31) and an application means (32), ~~typically comprising~~ a brush (320) consisting of one or several rows of bristles, ~~[[the]]~~ said rod (31) being fixed to ~~[[the]]~~ said cap (30) at one of its ends, and fixed to ~~[[the]]~~ said application means (32) at its other end, such that ~~[[the]]~~ said application means (32), ~~typically~~ at the contact of ~~[[the]]~~ said product (5) ~~typically~~

when [[the]] said cap closes off [[the]] said opening (23) of [[the]] said body (2), collects some of [[the]] said product (5) and after separation of [[the]] said applicator (3) from [[the]] said body (2), ~~typically~~ including an axial translation, enables application of [[the]] said collected product on a support, and characterised in that:

a) [[the]] said body (2) comprises ~~a means of forming~~ an axial partition in [[the]] said cavity (20) so as to form an axial sequence of N staged compartments (200) in [[the]] said cavity (20), denoted C_1 to C_N , where N ~~typically~~ varies from 2 to 4, each compartment C_i with height H_i containing [[the]] said cosmetic(s) P_i , [[the]] said cosmetic(s) P_i ~~typically~~ being different from [[the]] said cosmetic(s) P_{i+1} in compartment C_{i+1} located above it, and [[the]] said cosmetic P_i being a ~~typically~~ fluid product,

b) ~~the said means of forming the said~~ axial partition comprises N-1 separation means S (4, 4'), [[the]] said separation means S (4, 4') being denoted S_i , where i is equal to not more than N-1, between two successive compartments C_i and C_{i+1} ,

c) each compartment C_i , where $i > 1$, comprising a volume forming a storage means for [[the]] said product P_i , and also a complementary or free volume (27) forming a communication means, such that [[the]] said application means (32) can ~~typically~~ access each of [[the]] said compartments C_i , where $i' < i$, in order to collect [[the]] said corresponding products $P_{i'}$,

in which said separation means S_i (4, 4') comprises a central orifice O_i (40) forming said communication means between the compartments C_i and C_{i+1} and forming an axial passage for said application means (32), said separation means S_i (4, 4') delimiting said compartment C_i near the top and thus forming a partition between said compartments C_i and C_{i+1} of said cavity (20).

2. (currently amended) Distributor - applicator according to claim 1 in which ~~[[the]]~~ said cavity (20) comprises two successive compartments (200), a lower compartment C_1 with height H_1 containing the product P_1 , ~~[[the]]~~ said product P_1 being a fluid product, and a top compartment C_2 with height H_2 containing the product P_2 , ~~[[the]]~~ said lower compartment being contiguous with ~~[[the]]~~ said bottom at its lower part, the top of ~~[[the]]~~ said upper compartment C_2 being contiguous with ~~[[the]]~~ said rim (243) or ~~[[the]]~~ said neck (220).

3. (cancelled).

4. (currently amended) Distributor - applicator according to claim ~~[[3]]~~ 1, in which ~~[[the]]~~ said separation means S_i (4, 4') of the compartment C_i forms a support for product(s) P_{i+1} contained in the adjacent compartment C_{i+1} and located axially above compartment C_i .

5. (currently amended) Distributor - applicator according to claim [[3]] 1 in which [[the]] said separation means S_i (4, 4') of compartment C_i comprises a ~~typically~~ radial projection or part (41, 42, 460).

6. (currently amended) Distributor - applicator according to claim [[6]] 5 in which [[the]] said projection or radial part (41, 42, 460) forms a sufficiently large radial projection (42) so that [[the]] said ~~typically~~ central orifice O_i (40) may be filled in or closed off by [[the]] said application means (32).

7. (withdrawn, currently amended) Distributor - applicator according to claim [[3]] 1 in which [[the]] said means of separation S_i (4, 4') of compartment C_i comprises a part forming a radial projection (41) and a part forming a vertical or inclined projection (43), so as to form firstly a secondary cavity (26) ~~typically~~ capable of containing a fluid product, and secondly [[the]] said complementary or free volume (27) forming [[the]] said communication means.

8. (withdrawn, currently amended) Distributor - applicator according to claim [[3]] 1, in which [[the]] said separation means S_i (4, 4') for $i = 1$ include a top central duct

(44'), ~~typically~~ provided with a flared top part (440') and / or a bottom part through which [[the]] said application means can pass, [[the]] said top central duct (44') delimiting the inside of [[the]] said complementary or free volume (27) forming [[the]] said communication means.

9. (withdrawn, currently amended) Distributor - applicator according to claim 7, in which [[the]] said vertical projection or [[the]] said duct comprises or forms a perforated tubular central part (44), so as to form [[the]] said secondary cavity (26) that will ~~typically~~ contain [[the]] said product P₂, and such that [[the]] said application means (32) can collect [[the]] said product P₂ particularly during translation of [[the]] said application means in [[the]] said complementary or free volume (27).

10. (withdrawn, currently amended) Distributor - applicator according to claim 9 in which [[the]] said central open tubular part (44) comprises several axial rods (440) forming axial spaces (441) between them through which [[the]] said rows of bristles of [[the]] said brush (320, 320') are free to pass and so as to collect [[the]] said product P₂.

11. (withdrawn, currently amended) Distributor - applicator according to claim ~~[[3]]~~ 1, in which [[the]] said

orifice O_i (40) for $i = 1$ comprises or forms a non-return valve or flap (6), [[the]] said valve or [[the]] said flap (6) being open typically when [[the]] said applicator (3) cooperates with [[the]] said body, [[the]] said application means then typically being in contact with [[the]] said product P_i for $i = 1$, and closed when [[the]] said applicator (3) is separated from [[the]] said body (2).

12. (withdrawn, currently amended) Distributor - applicator according to claim [[3]] 1 in which [[the]] said separation means S_i (4, 4') for $i = 1$ forms or includes an elastic membrane comprising adjacent rims or lips (60) delimiting [[the]] said orifice O_i for $i = 1$, like a valve, [[the]] said lips (60) being capable of elastically separating during [[the]] said axial displacement of [[the]] said applicator (3) so as to enable [[the]] said application means (32) to pass through [[the]] said orifice (40) so as to prevent or limit mixing of [[the]] said products (5) in two different compartments (200).

13. (currently amended) Distributor - applicator according to claim 1, in which [[the]] said separation means S_i (4, 4') forms or comprises a single-piece part (45) with [[the]] said body (2).

14. (withdrawn, currently amended) Distributor - applicator according to claim 1, in which ~~[[the]]~~ said separation means S_{i-1} (4, 4') forms or comprises an add-on part (46, 46') in ~~[[the]]~~ said cavity (20), ~~typically~~ fixed to ~~[[the]]~~ said body (2) by assembly or by click-fitting.

15. (currently amended) Distributor - applicator according to claim ~~[[3]]~~ 1, in which ~~[[the]]~~ said neck (220) and / or ~~[[the]]~~ said orifice O_i (40), ~~typically~~ for $i = 1$, comprises or forms a means (8) of wiping ~~[[the]]~~ said application means (32), so as to remove the excess amount of at least ~~[[the]]~~ said product P_i , ~~typically~~ the fluid product P_1 for $i = 1$.

16. (currently amended) Distributor - applicator according to claim 1, in which ~~[[the]]~~ said application means (32), ~~typically~~ comprising a brush (320, 320'), has a circular section, ~~[[the]]~~ said section being taken in a plane perpendicular to ~~[[the]]~~ said axial direction (10, 21) such that ~~[[the]]~~ said applicator (3) does not need to be oriented with respect to ~~[[the]]~~ said body (2) during ~~[[the]]~~ said translation.

17. (withdrawn, currently amended) Distributor - applicator according to claim 1, in which ~~[[the]]~~ said application means (3) has a non-circular section S , and a shape factor L/l equal to at least 2, where L and l are the largest and

the smallest dimensions respectively, [[the]] said section being taken in a plane perpendicular to [[the]] said axial direction (10, 21) such that all or part of [[the]] said translation requires relative orientation of [[the]] said applicator (3) with respect to [[the]] said body (2).

18. (currently amended) Distributor - applicator according to claim 16, in which [[the]] said section S of [[the]] said application means (3) and [[the]] said orifice O_i (40) of [[the]] said separation means (4, 4') are geometrically similar.

19. (currently amended) Distributor - applicator according to claim 1 in which [[the]] said applicator (3) comprises a single application means A (32), [[the]] said rod (31) being sufficiently long so that [[the]] said application means (32) is in contact with [[the]] said product P_1 contained in compartment C_1 particularly when [[the]] said cap (30) closes off [[the]] said opening (23) of [[the]] said body (2).

20. (currently amended) Distributor - applicator according to claim 19 in which the height of [[the]] said application means A (32) is ~~typically~~ equal to approximately H_1 , and fills in or closes off [[the]] said orifice O_1 .

21. (withdrawn, currently amended) Distributor - applicator according to claim 1 in which ~~[[the]]~~ said applicator (32) comprises a single application means A, with a height ~~typically~~ greater than H_1 , so that it can come into contact with ~~[[the]]~~ said product P_1 contained in the compartment C_1 and with ~~[[the]]~~ said product P_2 contained in the compartment C_2 when ~~[[the]]~~ said cap closes off ~~[[the]]~~ said body, so as to have a zone Z_e called the remote zone on the application means after ~~[[the]]~~ said separation, including collected amounts of products P_1 and P_2 , and a zone Z_p called the near zone containing collected products P_2 only.

22. (withdrawn, currently amended) Distributor - applicator according to claim 1 in which ~~[[the]]~~ said applicator comprises at least two application means A_i (32), ~~typically~~ two separate brushes (320, 320') mounted in series on ~~[[the]]~~ said rod (31) and possibly as many application means A_i as there are separate compartments A_1 and A_2 and ~~typically~~ two separate application means A_1 and A_2 , ~~[[the]]~~ said application means A_1 being in contact with ~~[[the]]~~ said product P_1 contained in compartment C_1 when ~~[[the]]~~ said cap (30) closes off the opening (23) of ~~[[the]]~~ said body (2), and ~~[[the]]~~ said application means A_2 being in contact with ~~[[the]]~~ said product P_2 contained in the compartment C_2 when ~~[[the]]~~ said cap closes off the opening (23) of ~~[[the]]~~ said body (2).

23. (withdrawn, currently amended) Distributor - applicator according to claim 22 in which ~~[[the]]~~ said separate application means A_i (32) have an increasing section in the direction from A_i to A_{i+1} , such that each application means A_i only collects the product(s) P_i contained in the corresponding said compartment C_i .

24. (withdrawn, currently amended) Distributor - applicator according to claim 22 in which ~~[[the]]~~ said applicator (3) comprises two axially separate application means A_1 and A_2 , one forming a brush (320) based on bristles, and the other (321) not forming a brush and comprising a material, ~~typically~~ divided or cellular, capable of collecting a solid or a liquid.

25. (withdrawn, currently amended) Distributor - applicator according to claim 1 in which ~~[[the]]~~ said rod (31), or possibly ~~[[the]]~~ said application means (32), cooperates with ~~[[the]]~~ said separation means (4, 4'), possibly due to a means (33) fixed to ~~[[the]]~~ said rod (3) or due to a means (6) fixed to ~~[[the]]~~ said separation means (4, 4') designed to close off ~~[[the]]~~ said orifice (40) in order to make at least one compartment (200) and ~~typically~~ ~~[[the]]~~ said compartment C_1 leak tight, when ~~[[the]]~~ said cap (30) closes off the opening (23) of ~~[[the]]~~ said body (2).

26. (withdrawn, currently amended) Distributor - applicator according to claim 1 in which [[the]] said head (22) and / or [[the]] said bottom (25) of [[the]] said body (2) form removable parts (22', 25') so that [[the]] said separation means S_i (4, 4') and / or [[the]] said products P_i can enter into [[the]] said cavity (20).

27. (withdrawn, currently amended) Distributor - applicator according to claim 1 in which [[the]] said body (2) and [[the]] said separation means are formed by axial assembly, ~~typically~~ by click-fitting or by gluing or heat sealing, of at least two modular body portions (7) and (7'), one comprising [[the]] said bottom (25) and the other comprising [[the]] said opening (23).

28. (currently amended) Distributor - applicator according to claim 1 in which all or some of [[the]] said body (2) is formed by a ~~typically~~ transparent moulded plastic material.

29. (previously presented) Use of the distributor - applicator according to claim 1 for packaging several cosmetics P_i , at least one of the products P_i being a fluid product.

30. (currently amended) Use according to claim 29 in which [[the]] said fluid product is ~~a make-up product, and typically~~ a mascara.

31. (currently amended) Use according to claim 29, in which [[the]] said fluid product is packaged in [[the]] said compartment (200) C₁.

32. (withdrawn, currently amended) Use according to claim 29, in which [[the]] said products P_i (5), ~~typically~~ for $i > 1$, comprise ~~typically~~ agglomerated solid products (51), [[the]] said solid products (51) ~~typically~~ forming annular or toroidal bodies (510), comprising a central opening (511) through which [[the]] said application means (32) can pass.

33. (new) Distributor - applicator (1) mobile in the axial direction (10) designed to contain a cosmetic (5), comprising a body (2) forming a longitudinal cavity (20) with a height (H) along its axial direction (21) containing said cosmetic (5), and in which there is an opening, said body (2) being provided with a lateral skirt (24), fixed with a rim (243) or a head (22) at its top end containing a neck (220) surrounding said opening (23), and forming a bottom (25) at its bottom end, and an applicator (3) comprising a cap (30) forming a means of gripping said applicator (3) and intended to cooperate with said

rim (243) or said neck (220) of said head (22), a rod or a longitudinal support (31) and an application means (32), said rod (31) being fixed to said cap (30) at one of its ends, and fixed to said application means (32) at its other end, such that said application means (32), at the contact of said product (5) when said cap closes off said opening (23) of said body (2), collects some of said product (5) and after separation of said applicator (3) from said body (2), including an axial translation, enables application of said collected product on a support, wherein,

a) said body (2) comprises an axial partition in said cavity (20) so as to form an axial sequence of N staged compartments (200) in said cavity (20), denoted C_1 to C_N , where N varies from 2 to 4, each compartment C_i with height H_i containing said cosmetic(s) P_i , said cosmetic(s) P_i being different from said cosmetic(s) P_{i+1} in compartment C_{i+1} located above it, and said cosmetic P_i being a fluid product,

b) axial partition comprises $N-1$ separation means S (4, 4'), said separation means S (4, 4') being denoted S_i , where i is equal to not more than $N-1$, between two successive compartments C_i and C_{i+1} ,

c) each compartment C_i , where $i > 1$, comprising a volume forming a storage means for said product P_i , and also a complementary or free volume (27) forming a communication means, such that said application means (32) can access each of said

compartments C_i , where $i' < i$, in order to collect said corresponding products $P_{i'}$, and

said separation means S_i (4, 4') comprises a central orifice O_i (40) forming said communication means between the compartments C_i and C_{i+1} and forming an axial passage for said application means (32), said separation means S_i (4, 4') delimiting said compartment C_i near the top and thus forming a partition between said compartments C_i and C_{i+1} of said cavity (20).